

There was a flurry of activity on tobacco-related legislation during this past week. On August 30 alone, four tobacco-related bills received floor votes in either the Assembly or the Senate. Below are details on all of the legislative activity on tobacco-related bills that occurred during the week of August 27 through August 31, including details on any votes. The 2007 legislative session ends on September 14.

AB 1467 (DeSaulnier – D, Martinez) Expansion of Smokefree Workplaces

This legislation would eliminate exemptions from the statewide smokefree workplace law (AB 13) for specified bars, warehouse facilities, employee break rooms, hotel lobbies, meeting and banquet rooms.

Status: AB 1467 passed the Senate by a vote of 21-16 on August 30.

Voted in Favor – Alquist, Calderon, Cedillo, Corbett, Florez, Kehoe, Kuehl, Lowenthal, Maldonado, Migden, Negrete McLeod, Oropeza, Padilla, Ridley-Thomas, Romero, Scott, Simitian, Steinberg, Torlakson, Wiggins, Yee

Voted Against – Aanestad, Ackerman, Ashburn, Battin, Cogdill, Correa, Cox, Denham, Dutton, Harman, Hollingsworth, Machado, Margett, McClintock, Runner, Wyland

Absent or Not Voting – Ducheny, Perata, Vincent

Next Step: The bill will be sent to the Governor who can either sign the bill, veto the bill, or allow the bill to become law without his signature.

AB 1585 (Lieber – D, Mountain View) Expansion of Nonsale Distribution of Tobacco Products

This bill would modify the definition of nonsale distribution of smokeless tobacco to be defined to include gift certificates, gift cards, and other similar offers.

Status: AB 1585 passed the Senate Appropriations Committee by a vote of 9-6 on August 27. On August 20, the bill was amended to apply the restrictions on sales of tobacco products over the Internet and other non face-to-face means to apply to nonsale distribution of tobacco products as well.

Voted in Favor – Torlakson, Cedillo, Corbett, Florez, Kuehl, Oropeza, Ridley-Thomas, Steinberg, Yee

Voted Against – Cox, Aanestad, Ashburn, Battin, Runner, Wyland

Absent or Not Voting – Dutton, Simitian

Next Step: Senate floor vote

SB 7 (Oropeza – D, Carson) Prohibiting Smoking in Cars with Minors

Senate Bill 7 would prohibit smoking in a motor vehicle, regardless of whether the vehicle is stationary or moving, in which a minor (17 years and younger) is present.

Status: SB 7 was passed by the Assembly Appropriations Committee on August 30 by a vote of 12-5. On August 31, the bill was amended. Language was removed that would have required the Department of Public Health to make the public aware of the new law as part of its public education campaign and that would have required language about the new law to be placed in the California Driver's Handbook.

Voted in Favor – Leno, Caballero, Davis, DeSaulnier, Huffman, Karnette, Krekorian, Lieu, Ma, Nava, Solorio, De Leon

Voted Against – Walters, Emerson, La Malfa, Nakanishi, Runner

Next Step: Assembly floor vote

SB 295 (Cogdill – R, Modesto) Definition of Untaxed Tobacco Product

This bill would clarify the definition on an untaxed tobacco product and apply this definition to all sections of the cigarette and tobacco products tax law.

Status: The bill was passed by the Assembly 73-0 on August 30.

Voted in Favor – Adams, Aghazarian, Anderson, Arambula, Bass, Beall, Benoit, Berg, Berryhill, Blakeslee, Brownley, Caballero, Calderon, Carter, Cook, Coto, Davis, De La Torre, De Leon, DeSaulnier, DeVore, Duvall, Dymally, Emmerson, Eng, Evans, Feuer, Fuller, Gaines, Galgiani, Garcia, Garrick, Hancock, Hayashi, Hernandez, Horton, Houston, Huff, Huffman, Jeffries, Jones, Karnette, Keene, Krekorian, La Malfa, Laird, Leno, Levine, Lieber, Lieu, Ma, Maze, Mullin, Nakanishi, Nava, Niello, Parra, Portantino, Price, Runner, Ruskin, Salas, Saldana, Silva, Smyth, Solorio, Spitzer, Swanson, Torrico, Villines, Walters, Wolk

Absent or Not Voting – Mendoza, Nunez, Plescia, Richardson, Soto, Strickland, Tran

Next Step: The bill will be sent to the Governor who can either sign the bill, veto the bill, or allow the bill to become law without his signature.

SB 625 (Padilla – D, Pacoima) Tobacco Product Retailers License Reinstatement Fee

The bill would authorize a \$100 reinstatement fee as a precondition for reinstatement of an expired state tobacco retailer license.

Status: The Assembly passed SB 625 by a vote of 44-28 on August 30.

Voted in Favor – Arambula, Bass, Beall, Berg, Brownley, Caballero, Calderon, Carter, Coto, Davis, De La Torre, De Leon, DeSaulnier, Dymally, Eng, Evans, Feuer, Fuentes, Hancock, Hayashi, Hernandez, Huffman, Jones, Karnette, Krekorian, Laird, Leno, Levine, Lieber, Lieu, Ma, Mendoza, Mullin, Nava, Parra, Portantino, Price, Ruskin, Salas, Saldana, Solorio, Swanson, Torrico, Wolk

Voted Against – Adams, Anderson, Benoit, Berryhill, Cook, DeVore, Duvall, Emmerson, Fuller, Gaines, Galgiani, Garcia, Garrick, Horton, Houston, Huff, Jeffries, Keene, La Malfa, Maze, Nakanishi, Niello, Runner, Silva, Smyth, Spitzer, Villines, Walters

Absent or Not Voting – Aghazarian, Blakeslee, Nunez, Plescia, Richardson, Soto, Strickland, Tran

Next Step: The bill will be sent to the Governor who can either sign the bill, veto the bill, or allow the bill to become law without his signature.

SB 655 (Margett – R, Glendora) Possession of Tobacco in Local Correctional Facilities

This bill would make possession of tobacco products in a local correctional facility illegal and punishable by a fine of up to \$250 if the Board of Supervisors in the county where the facility is located has passed an ordinance that bans tobacco possession in its correctional facilities.

Status: The Senate passed SB 655 by a vote of 33-3 on August 30. The Senate had to pass this legislation a second time because amendments were made while the bill was in the Assembly.

Voted in Favor – Aanestad, Ackerman, Alquist, Ashburn, Battin, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Dutton, Harman, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Wiggins, Wyland, Yee

Voted Against – Ducheny, Hollingsworth, McClintock

Absent or Not Voting – Denham, Florez, Negrete McLeod, Vincent

Next Step: The bill will be sent to the Governor who can either sign the bill, veto the bill, or allow the bill to become law without his signature.

Center for Tobacco Policy & Organizing, September 4, 2007

If you have questions about this analysis, please contact The Center's Policy Coordinator, Justin Garrett, at (916) 442-4299, ext. 233 or jgarrett@alac.org or Paul Knepprath, Vice President, Government Relations, American Lung Association of California, at (916) 442-4446, ext. 224 or pknepprath@alac.org.

Sources: Copies of the legislation outlined above and vote information may be obtained at <http://www.leginfo.ca.gov>.